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Attorneys for Plaintiffs,
SONY BMG MUSIC ENTERTAINMENT;
ARISTA RECORDS LLC; INTERSCOPE
RECORDS; BMG MUSIC; UMG RECORDINGS,
INC.; and WARNER BROS. RECORDS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SONY BMG MUSIC ENTERTAINMENT, a
Delaware general partnership; ARISTA
RECORDS LLC, a Delaware limited liability
company; INTERSCOPE RECORDS, a
California general partnership; BMG MUSIC, a
New York general partnership; UMG
RECORDINGS, INC., a Delaware corporation;
and WARNER BROS. RECORDS INC., a
Delaware corporation,

Plaintiffs,

v.

BRITTANY RAQUEL GRAY,

Defendant.

CASE NO. C 07-04854 WDB

The Honorable Wayne D. Brazil

**[PROPOSED] DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

Based upon Plaintiffs' Application for Default Judgment By The Court, and good cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the nine (9) sound recordings listed in Exhibit A to Plaintiffs' First Amended Complaint ("Complaint"). Accordingly, having adjudged to be in default, Defendant Brittany Raquel Gray ("Defendant") shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Dollars (\$6,000.00).

2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred and Twenty Dollars (\$420.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Open Arms," on album "Escape," by artist "Journey" (SR# 30-088);
- "I Will Always Love You," on album "Bodyguard Soundtrack," by artist "Whitney Houston" (SR# 152-583);
- "Underneath it All," on album "Rock Steady," by artist "No Doubt" (SR# 305-872);
- "Caged Bird (Outro)," on album "Songs in A Minor," by artist "Alicia Keyes" (SR# 299-410);
- "Ex-Factor," on album "The Miseducation Of Lauryn Hill," by artist "Lauryn Hill" (SR# 254-183);
- "End Of The Road," on album "Legacy," by artist "Boyz II Men" (SR# 305-536);
- "Hole In My Soul," on album "Nine Lives," by artist "Aerosmith" (SR# 246-031);
- "A Place For My Head," on album "Hybrid Theory," by artist "Linkin Park" (SR# 288-402);

and in any other sound recording, whether now in experience or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e.,

upload) and of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant shall also destroy all copies of Plaintiffs' Recordings that defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

Dated: _____

By: _____
Honorable Wayne D. Brazil
United States Magistrate Judge

PROOF OF SERVICE

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the office of Holme Roberts & Owen in San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 560 Mission Street, 25th Floor, San Francisco, CA 94105.

On July 21, 2008, I served the foregoing documents described as:

[PROPOSED] DEFAULT JUDGMENT AND PERMANENT INJUNCTION

on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

**Brittany Raquel Gray
75 Poncetta Drive 215
Daly City, CA 94015**

☒ BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on July 21, 2008 at San Francisco, California.



Della Grant